

# FOOTHILL TRANSIT

## MINUTES

The study session of the Foothill Transit Executive Board was held Friday, January 29, 2010, at the Foothill Transit Conference Room, 100 South Vincent Avenue, 2<sup>nd</sup> Floor, West Covina.

Chair De La Torre called the meeting to order at 9:05 a.m. The following members were present, constituting a quorum of the Executive Board:

Michael De La Torre, Chair  
Roger Chandler, Vice Chair  
Peggy Delach  
Carol Herrera  
Paula Lantz

## **PUBLIC COMMENT**

There was none.

## **2010 LEGISLATION SUMMARY**

Tim Egan, Capital Representation Group, reported that the Governor:

- Released his budget on January 8, 2010, but then declared a fiscal emergency and called the State Legislature to return to work on a new budget with a 45-day completion deadline.
- Proposed a “fuel swap”, which would eliminate sales tax on gasoline – a tax which has been in place since 1971; The Senate Budget Finance Committee, at its last meeting, reviewed the “fuel swap” proposal and oppose it.
- Proposed reviving the Gasoline Excise Tax, and a 10.8% sales tax on gasoline which would backfill Prop. 42 which funds repairs to streets and roads in the State highway system

Congress passed and the President signed H.R. 3326, the FY 2010 Defense appropriations bill.

The House of Representatives passed H.R. 2847, The Jobs for Main Street Act, a second economic stimulus bill that would appropriate \$75 billion from the General Fund of the U.S. Treasury, providing \$37.3 billion for the U.S. Department of Transportation (DOT).

The Executive Board received and filed the 2010 Legislation Summary.

Motion: Member Delach, seconded by Member Herrera  
Vote: Unanimously carried

**PROPOSED 2010 STATE AND LOCAL LEGISLATIVE PROGRAM**

David Reyno, Director of Governmental Relations, reported that each year Foothill Transit prepares a legislative program for adoption by the Executive Board. The program will serve as a guide for pursuing Foothill Transit's legislative proposals and strategies, which include the advocacy of:

- Obtaining the maximum amount of funding from Measure R;
- Support full allocation of Proposition 1B, 1C, Transit Development Act (TDA), and State Transit Assistance (STA);
- Establish a connection between transit operations funding, AB 32, SB 375, and other climate change policies;
- Passage of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010; and
- Maintaining active participation of staff in CTA activities, including Executive and Legislative committees.

Foothill Transit has approached the CTA about two forthcoming bills for legislation - the amendment of vehicle code Sec. 35.400, which would allow buses in excess of 40 feet to utilize State routes designated by Caltrans as access routes; and a bill that would allow a State exemption for a Local Utility Users Tax on electricity used to power buses. CTA supports Foothill Transit's efforts to lobby for these bills.

Foothill Transit's local legislative goals include:

- To formally support or oppose Metro, SGVCOG and SCAG positions on issues that affect Foothill Transit and other municipal operators.
- Work through the Bus Operators Subcommittee and LACMOA to craft solutions to potential areas of concern.
- Provide position briefings to Metro board members, SGVCOG members, and SCAG personnel on issues that may affect operations, planning and funding.

Metro is currently facing a \$250 million deficit, which will negatively affect Foothill Transit and other public transit system who receive support from them.

The Executive Board adopted the proposed 2010 State and Local Legislative Program as outlined.

Motion: Member Herrera, seconded by Member Lantz  
Vote: Unanimously carried

**PROPOSED 2010 FEDERAL LEGISLATIVE PROGRAM**

David Reyno, Director of Governmental Relations, reported on the 2010 Federal Legislative Program, which would help guide staff recommendations and actions on federal proposals during the upcoming year. He acknowledged the valuable assistance of the federal delegation in ensuring public transportation operators like Foothill Transit receive funding to maintain operations.

Specific goals set for 2010 include:

- A request for \$5 million in Federal discretionary funding for replacement buses that would assist Foothill Transit in converting its remaining fleet to CNG, alternate fuel, or electric battery power.
- Advocate to the FTA to change current charter bus regulations, which previously enabled Foothill Transit to provide services to the Rose Bowl, UCLA football games, and the Hollywood Bowl.
- A long-term extension on the alternative fuels Excise Tax Credit.
- Continued support to the Southern California Regional Transit Training Consortium (SCRTTC) and its efforts to obtain federal funds and streamline bus maintenance training for alternative fuel buses.
- Passage of legislation which would allow public transit agencies to use a portion of their federal transit funding for day-to-day operating expenses.
- Passage of a new six-year surface transportation authorization bill. SAFETEA-LU sunsetted in September 2009 and will be extended for the third time until late February 2010.
- Maintain active participation in APTA activities, including Strategic Planning, Human Resources, Legislative and Marketing committees.
- Ensure that APTA's positions reflect Foothill Transit's positions on federal legislation.

Jan Powell, of law firm Baker, Donelson, Bearman & Caldwell, joined the meeting via conference call, and reported the following:

- The Annual Appropriations Bill is approaching; the transportation deadline for project requests is March 19, 2010.
- SAFETEA-LU may be extended until September 2010
- The New Jobs Bill HR 2847, also known as Stimulus II is earmarked to receive \$7.7 billion. California is scheduled to receive \$1.1 billion from the funding.

Ms. Powell recommended the Executive Board send a letter to the Congressional delegation requesting inclusion in legislation to allow Foothill Transit to flex a percentage of federal funding into operating expenses.

**Foothill Transit  
Special Executive Board Study Session  
January 29, 2010 Minutes  
Page 4**

Chair De La Torre reported that Foothill Transit is appealing the Planning Commission's decision on the West Covina Park & Ride structure, which may entail returning to the FTA for an extension of time for \$11-13 million funded by FTA for this construction.

Doran Barnes, Executive Director, reported that the APTA conference will be in mid-March 2010; Executive Board members plan to attend.

The Executive Board adopted the proposed 2010 Federal Legislative Program as outlined.

Motion: Chair De la Torre, seconded by Vice Chair Chandler  
Vote: Unanimously carried

**EXECUTIVE DIRECTOR COMMENT**

Mr. Doran Barnes, Executive Director reported that the CTA will hold its *Lobby Day* in March 2010. He and Mr. Reyno will meet with Mr. Egan in Sacramento in February 2010.

**BOARD MEMBER COMMENT**

There was none.

**ADJOURNMENT**

There being no further business, the Executive Board adjourned at 10:30 a.m.

Staff and guests present:

Doran Barnes, Executive Director  
Kevin McDonald, Deputy Executive Director  
Darold Pieper, General Counsel  
David Reyno, Director of Government Relations  
Jan Powell, Baker, Donelson, Bearman, and Caldwell  
Tim Egan, Capital Representation Group  
Lee Millen, Commission Services